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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,350	06/09/2006	Philippe Poder	0513-1175	4930
<div>466 7590 02/18/2009</div> <div>YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314</div>				
EXAMINER				
KEE, FANNIE C				
ART UNIT		PAPER NUMBER		
3679				
MAIL DATE		DELIVERY MODE		
02/18/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/582,350

Applicant(s)

PODER, PHILIPPE

Examiner

Fannie Kee

Art Unit

3679

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because in Figure 4, reference element "1" is missing a lead line.
3. The drawings are also objected to because in Figures 5 and 6, separated elements within the same figure should either be connected by dotted lines or by brackets to designate all of the elements as one complete figure. Otherwise, each separate element should have a separate figure number designation.
4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:
 - a. Page 7, line 9 – delete the word "there" before the word "extend".
 - b. Page 7, line 11 – What does Applicant mean by "Each catch 25 *prevents* a chamfered surface 26 facing away from the sleeve 23 and a radial surface 27 beside the sleeve"? How does the catch prevent those surfaces if those surfaces are part of the catch?

Correction is required.

Claim Objections

6. Claim 10 is objected to because of the following informalities: Claim 10 needs to be re-written according to 37 CFR 1.75(i) - where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation.

Correction is required.

7. Claim 10 is also objected to because of the following informalities: add the word --a-- before the word "leaktight" in line 4.

Correction is required.

8. Note: It is suggested to Applicant to remove references to the drawing element numbers in the claims to avoid confusion in the claims.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 10-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites "A quick coupling device comprising a body (5) axially subdivided into a link section (6) for linking to a first duct (1), and a connection section (7) arranged to receive in leaktight manner one end (3) of a second duct (2), the body being associated with a retaining member (22) possessing tabs (24) that are elastically deformable between a state of gripping an outer bead (4) on the end of the second duct, and a state of releasing the bead, wherein the retaining member is mounted on the body..."

With regard to the present invention, it appears at first that Applicant is claiming only a quick coupling device which can connect to a first and a second duct. Applicant has not

positively recited first and second ducts; the first and second ducts are only functionally recited. However, further on in claim 10, Applicant positively recites that a tab of a retaining member is elastically deformable between a state of gripping an outer bead on the end of the second duct and a state of releasing that bead. Therefore, Applicant is now claiming at least the second duct. Is that Applicant's intention? Is Applicant claiming both a first duct and a second duct wherein the second duct has an outer bead which is gripped by a tab of a retaining member? Examiner is interpreting that Applicant means to claim both a first duct and a second duct with an outer bead on the end of the second duct in combination with the quick coupling device.

With regard to the body of the quick coupling device and a retaining member, Applicant recites "the body being associated with a retaining member (22) possessing tabs". What does Applicant mean by the word "associated"? Is Applicant trying to say that these elements are connected in some way? It appears that Applicant is trying to say that the body is connected to the retaining member which is confusing because further on in claim 10, Applicant then recites that the retaining member is mounted on the body. Therefore, the retaining member is mounted *on* the body and not the body being connected or mounted to the retaining member. The use of the word "associated" is unclear and does not clearly define what Applicant is trying to claim which is that the retaining member is connected, i.e., mounted, to the body of the quick coupling device. Examiner is interpreting the word "associated" to mean that the body is connected to the retaining member in some manner.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 10-18 are rejected under 35 U.S.C. 102(b) as being anticipated by McElroy et al U.S. Patent No. 5,228,729.

With regard to claim 10, and as shown in Figures 1, 9 and 10, McElroy et al disclose a quick coupling device comprising a body (22) axially subdivided into a link section for linking to a first duct (12), and a connection section arranged to receive in leaktight manner one end of a second duct (14), the body being associated with a retaining member (34) possessing tabs (36) that are elastically deformable between a state of gripping an outer bead (56) on the end of the second duct, and a state of releasing the bead, wherein the retaining member is mounted on the body to turn between a free deformation position in which the tabs can deform between their two states, and at least one holding position in which the tabs cooperate with a surface (28) that is secured to the body and that holds the tabs in one of their two states.

With regard to claim 11, and as shown in Figures 1, 9 and 10, McElroy et al disclose wherein, in the holding position, each tab (36) is in its gripping states and is received at least in

part in a housing of the body (22) having a surface (28) that opposes deformation of the tab towards its release state.

With regard to claim 12, and as shown in Figures 1, 9 and 10, McElroy et al disclose wherein, in the holding position, each tab (36) cooperates with a ramp (between 22 and 28) of the body (22) lifting the tab so as to bring it into its release state.

With regard to claim 13, and as shown in Figures 1, 9 and 10, McElroy et al disclose wherein, in the free deformation position, the retaining member (34) is arranged to be capable of being driven axially by the second duct (14) towards a locking position in which each tab (36) in its gripping state is received at least in part in a housing of the body (22) having a surface (28) that opposes deformation of the tab towards its release state.

With regard to claim 14, and as shown in Figures 1, 9 and 10, McElroy et al disclose wherein, in the holding position, each tab (36) cooperates with a ramp (between 22 and 28) of the body (22) lifting the tab so as to bring it into its release state, and wherein the retaining member (34) possesses two holding positions that are angularly offset relative to each other.

With regard to claim 15, and as shown in Figures 1, 9 and 10, McElroy et al disclose wherein the two holding positions are situated on either side of the free deformation position.

With regard to claim 16, and as shown in Figures 1, 9 and 10, McElroy et al disclose the body (22) having a radial abutment surface (top of ramp between 22 and 28) for cooperating with a front radial surface at the free end of each tab (free end of tab at top end near 38 in Figure 9) when the tabs are subjected to a traction force.

With regard to claim 17, and as shown in Figures 1, 9 and 10, McElroy et al disclose indexing means (72) for indexing the retaining member (34) relative to the body (22) at least for the free deformation position of the retaining member.

With regard to claim 18, and as shown in Figures 1, 9 and 10, McElroy et al disclose the indexing means comprising at least one flexible blade (72) extending axially from the retaining member (34) or the body (22) to cooperate with a stud (28, 30) projecting radially from the body or from the retaining member.

Conclusion

13. Osteen, Guth, Dehar, DeVincent et al, Bartholomew, McElroy et al are being cited to show the general mechanical state of the art with regard to quick couplings with a retaining member with tabs.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

/F. K./
Examiner, Art Unit 3679
February 11, 2009